

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: Toshiaki KATSUMA et al.

Serial No.: 10/801,826

Art Unit: 2627

Filed: March 17, 2004

Examiner: ORTIZ CRIADO, Jorge L.

For: APERTURE LIMITING ELEMENT AND OPTICAL PICKUP DEVICE
UTILIZING IT

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 8, 2009

Sir:

Please consider the prior art disclosed on an IDS that is being submitted concurrently with the filing of this transmittal letter. The references listed on the IDS were recently applied by a Japanese examiner so as to reject claims in an Office Action (translation supplied, see Attachment A) of the corresponding Japanese Patent Application No. 2003-074523, from which the present application claims the benefit of foreign priority.

It should be noted, however, that:

(1) JP Laid Open Patent Application No. S64-60829 discloses a spatial filter 40 which has an aperture 42 and a wavelength selecting mirror surface 41. The wavelength selecting mirror surface 41 transmits a recording and reproducing light beam of wavelength λ_1 and reflects an erasing light beam of wavelength λ_2 . There is no suggestion to use light beams of wavelength λ_1 and λ_2 in accordance with a kind of recording medium. JP Publication No. S64-60829 discloses only switching a recording and reproducing light beam and an erasing light beam through a wavelength selecting mirror surface 41;

(2) Japanese Laid Open Patent Application No. H08-054,977 is already of record; and

(3) With regard to Japanese Laid Open Patent Application H10-312578, although the

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Japanese examiner asserts that the convex surface of the objective lens is inserted into an aperture of an aperture limiting element, there actually is no mention of this in Japanese Laid Open Patent Application H10-312578.

Respectfully submitted,

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Attachment A - English translation of Office Action dated March 13, 2009 in Japanese Patent Application No. 2003-074523